



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Csaba Truckai et al.

Application No.: 10/676,841

Filed: September 30, 2003

For: ELECTROSURGICAL
INSTRUMENT AND METHOD OF USE

Examiner: Unassigned

Art Unit: 3762

SUPPLEMENTAL INFORMATION
DISCLOSURE STATEMENT UNDER 37
CFR §1.97 and §1.98

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The references cited on the attached PTO/SB/08A and PTO/SB/08B forms are being called to the attention of the Examiner. Copies of the non US patent references are enclosed. It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.


As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

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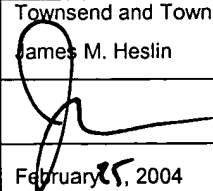
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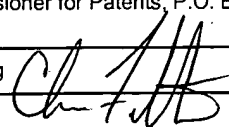
 TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/676,841	
	Filing Date	September 30, 2003	
	First Named Inventor	Trukai. C.	
	Group Art Unit	3762	
	Examiner Name	Unassigned	
Total Number of Pages in This Submission	8	Attorney Docket Number	021447-000710US

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): 1) Return receipt postcard 2) Eighteen (18) references 3) PTOSB/08A and PTO/SB/08B Forms
Remarks The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430. Total number of pages <u>does not</u> include cited references.		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm and Individual name	Townsend and Townsend and Crew LLP James M. Heslin	Reg No. 29,541
Signature		
Date	February 15, 2004	

CERTIFICATE OF MAILING

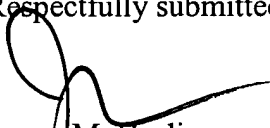
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60149482 v1

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However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,



James M. Heslin
Reg. No. 29,541

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JMH:crf
60100779 v1

Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>			Complete if Known		
			Application Number	10/676,841	
			Filing Date	September 30, 2003	
			First Named Inventor	Truckai, Csaba	
			Art Unit	3762	
			Examiner Name	Unassigned	
Sheet	4	of	5	Attorney Docket Number	021447-000710US

U.S. PATENT DOCUMENTS+					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number Kind Code ² (if known)			
	ET	US-2003/0144652 A1	07-31-2003	BAKER ET AL.	
	EU	US-2003/0139741 A1	07-24-2003	GOBLE ET AL.	
	EV	US-2003/0125727 A1	07-03-2003	TRUCKAI ET AL.	
	EW	US-2003/0114851 A1	06-19-2003	TRUCKAI ET AL.	
	EX	US-2003/0078578 A1	04-24-2003	TRUCKAI ET AL.	
	EY	US-2003/0078577 A1	04-24-2003	TRUCKAI ET AL.	
	EZ	US-2003/0078573 A1	04-24-2003	TRUCKAI ET AL.	
	FA	US-2003/0069579 A1	04-10-2003	TRUCKAI ET AL.	
	FB	US-2003/0055417 A1	03-20-2003	TRUCKAI ET AL.	
	FC	US-2003/0050635 A1	03-13-2003	TRUCKAI ET AL.	
	FD	US-2003/0018327 A1	01-23-2003	TRUCKAI ET AL.	
	FE	US-2002/0177848 A1	11-28-2002	TRUCKAI ET AL.	
	FF	US-2002/0169392 A1	11-14-2002	TRUCKAI ET AL.	
	FG	US-2002/0120266 A1	08-29-2002	TRUCKAI ET AL.	
	FH	US-2002/0115997 A1	08-22-2002	TRUCKAI ET AL.	
	FI	US-2002/0052599 A1	05-02-2002	GOBLE	

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. ¹	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³	Number ⁴	Kind Code ⁵ (if known)				
	FJ	EP	517 244	B1	03-20-1996			<input type="checkbox"/>
	FK	EP	518 230	B1	05-15-1996			<input type="checkbox"/>
	FL	EP	341 446	A2	04-14-1989			abst. only
	FM	WO	93/08754	A1	05-13-1993			<input type="checkbox"/>
	FN	WO	94/24951	A1	11-10-1994			<input type="checkbox"/>
	FO	WO	94/24949	A1	11-10-1994			<input type="checkbox"/>
	FP	SU	575103		10-24-1977			abst. only
	FQ	SU	342617					
	FR	FR	2536924	A1	06-01-1984			abst. only
	FS	FR	2647683	A1	12-07-1990			abst. only
	ET	GB	2037167	A	07-09-1980			<input type="checkbox"/>
	FU	GB	2066104	A	07-08-1981			<input type="checkbox"/>
	FV	GB	2161082	A	01-08-1986			<input type="checkbox"/>
	FW	GB	2133290	A	07-25-1984			<input type="checkbox"/>

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Substitute for form 1449B/PTO			Complete if Known		
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)			Application Number	10/676,841	
			Filing Date	September 30, 2003	
			First Named Inventor	Truckai, Csaba	
			Art Unit	3762	
			Examiner Name	Unassigned	
Sheet	5	of	5	Attorney Docket Number	021447-000710US

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	FX	CORSON, S.L., "Two new laparoscopic instruments: Bipolar sterilizing forceps and uterine manipulator," <u>Medical Instrumentation</u> , 11(1):7-8 (1977).	
	FY	BURTON, J.D.K., "New Inventions," <u>The Lancet</u> , pages 650-651 (1959).	
	FZ	NARDELLA, P.C., "Radio Frequency Energy and Impedance Feedback," <u>Proc. SPIE, Catheter-Based Sensing and Imaging Technology</u> , 1068: 42-48 (1989).	
	GA	VALLFORS et al., "Automatically controlled bipolar electrocoagulation - 'COA-COMP'," <u>Neurosurg Rev.</u> , 187-190 (1984).	

Examiner Signature		Date Considered	
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¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

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60100779 v1



Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet **1** of **5****Complete if Known**

Application Number	10/676,841
Filing Date	September 30, 2003
First Named Inventor	Truckai, Csaba
Art Unit	3762
Examiner Name	Unassigned
Attorney Docket Number	021447-000710US

U.S. PATENT DOCUMENTS+

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number Kind Code ² (if known)			
	AA	US-6,652,521	11-25-2003	SCHULZE	
	AB	US-6,632,193	10-14-2003	DAVISON ET AL.	
	AC	US-6,585,735	07-01-2003	FRAZIER ET AL.	
	AD	US-6,575,968	06-10-2003	EGGERS ET AL.	
	AE	US-6,554,829	04-29-2003	SCHULZE ET AL.	
	AF	US-6,533,784	03-18-2003	TRUCKAI ET AL.	
	AG	US-6,527,767	03-04-2003	WANG ET AL.	
	AH	US-6,511,480	01-28-2003	TETZLAFF ET AL.	
	AI	US-6,500,176	12-31-2002	TRUCKAI ET AL.	
	AJ	US-6,468,275	10-22-2002	WAMPLER ET AL.	
	AK	US-6,464,704	10-15-2002	SCHMALTZ	
	AL	US-6,458,130	10-01-2002	FRAZIER ET AL.	
	AM	US-6,458,128	10-01-2002	SCHULZE	
	AN	US-6,451,018	09-17-2002	LANDS ET AL.	
	AO	US-6,409,725	06-25-2002	KHANDKAR ET AL.	
	AP	US-6,398,779	06-04-2002	BUYSSE ET AL.	
	AQ	US-6,352,536	03-05-2002	BUYSSE ET AL.	
	AR	US-6,350,264	02-26-2002	HOOVEN	
	AS	US-6,334,861	01-01-2002	CHANDLER ET AL.	
	AT	US-6,328,703	12-11-2001	MURAKAMI	
	AU	US-6,296,640	10-02-2001	WAMPLER ET AL.	
	AV	US-6,277,117	08-21-2001	TETZLAFF ET AL.	
	AW	US-6,273,887	08-14-2001	YAMAUCHI ET AL.	
	AX	US-6,270,497	08-07-2001	SEKINO ET AL.	
	AY	US-6,193,709	02-27-2001	MIYAWAKI ET AL.	
	AZ	US-6,190,386	02-20-2001	RYDELL	
	BA	US-6,187,003	02-13-2001	BUYSSE ET AL.	
	BB	US-6,179,837	01-30-2001	HOOVEN	
	BC	US-6,179,835	01-30-2001	PANESCU ET AL.	
	BD	US-6,179,834	01-30-2001	BUYSSE ET AL.	
	BE	US-6,176,857	01-23-2001	ASHLEY	
	BF	US-6,174,309	01-16-2001	WRUBLEWSKI ET AL.	
	BG	US-6,162,220	12-19-2000	NEZHAT	
	BH	US-6,152,923	11-28-2000	RYAN	
	BI	US-6,139,508	10-31-2000	SIMPSON ET AL.	
	BJ	US-6,113,598	09-05-2000	BAKER	
	BK	US-6,086,586	07-11-2000	HOOVEN	
	BL	US-6,074,389	06-13-2000	LEVINE ET AL.	
	BM	US-6,039,733	03-21-2000	BUYSSE ET AL.	
	BN	US-6,019,758	02-01-2000	SLATER	
	BO	US-5,947,984	09-07-1999	WHIPPLE	

Examiner
SignatureDate
Considered

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Sheet	2	of	5	Examiner Name	Unassigned
				Attorney Docket Number	021447-000710US

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	BP	US-5,911,719	06-15-1999	EGGERS	
	BQ	US-5,807,392	09-15-1998	EGGERS	
	BR	US-5,800,449	09-01-1998	WALES	
	BS	US-5,797,938	08-25-1998	PARASCHAL ET AL.	
	BT	US-5,776,130	07-07-1998	BUYSSE ET AL.	
	BU	US-5,766,166	06-19-1998	HOOVEN	
	BV	US-5,755,717	05-26-1998	YATES ET AL.	
	BW	US-5,716,366	02-10-1998	YATES	
	BX	US-5,693,051	12-02-1997	SCHULZE ET AL.	
	BY	US-5,674,220	10-07-1997	FOX ET AL.	
	BZ	US-5,624,452	04-29-1997	YATES	
	CA	US-5,611,798	03-18-1997	EGGERS	
	CB	US-5,593,406	01-14-1997	EGGERS ET AL.	
	CC	US-5,573,535	11-12-1996	VIKLUND	
	CD	US-5,571,153	11-05-1996	WALLSTEN	
	CE	US-5,531,744	07-02-1996	NARDELLA ET AL.	
	CF	US-5,507,106	04-16-1996	FOX	
	CG	US-5,480,398	01-02-1996	EGGERS	
	CH	US-5,480,397	01-02-1996	EGGERS ET AL.	
	CI	US-5,458,598	10-17-1995	FEINBERG ET AL.	
	CJ	US-5,451,224	09-19-1995	GOBLE ET AL.	
	CK	US-5,445,638	08-29-1995	RYDELL ET AL.	
	CL	US-5,443,463	08-22-1995	STERN ET AL.	
	CM	US-5,417,687	05-23-1995	NARDELLA ET AL.	
	CN	US-5,389,098	02-14-1995	TSURUTA ET AL.	
	CO	US-5,364,389	11-15-1994	ANDERSON	
	CP	US-5,360,428	11-01-1994	HUTCHINSON, JR.	
	CQ	US-5,336,221	08-09-1994	ANDERSON	
	CR	US-5,324,289	06-28-1994	EGGERS	
	CS	US-5,308,311	05-03-1994	EGGERS ET AL.	
	CT	US-5,306,280	04-26-1994	BREGEN ET AL.	
	CU	US-5,290,286	03-01-1994	PARINS	
	CV	US-5,269,780	12-14-1993	ROOS	
	CW	US-5,267,998	12-07-1993	HAGEN	
	CX	US-5,258,006	11-02-1993	RYDELL ET AL.	
	CY	US-5,207,691	05-04-1993	NARDELLA	
	CZ	US-5,201,900	04-13-1993	NARDELLA	
	DA	US-5,190,541	03-02-1993	ABELE ET AL.	
	DB	US-5,151,102	09-29-1992	KAMIYAMA ET AL.	
	DC	US-5,147,357	09-15-1992	ROSE ET AL.	
	DD	US-5,147,356	09-15-1992	BHATTA	
Examiner Signature				Date Considered	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² Kind Codes of U.S. Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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Sheet	3	of	5	Attorney Docket Number	021447-000710US

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		Number Kind Code ² (if known)			
	DE	US-5,122,137	06-16-1992	LENNOX	
	DF	US-5,104,025	04-14-1992	MAIN ET AL.	
	DG	US-5,085,659	02-04-1992	RYDELL	
	DH	US-5,057,107	10-15-1991	PARINS ET AL.	
	DI	US-5,057,106	10-15-1991	KASEVICH ET AL.	
	DJ	US-5,009,656	04-23-1991	REIMELS	
	DK	US-4,985,030	01-15-1991	MELZER ET AL.	
	DL	US-4,969,885	11-13-1990	FARIN	
	DM	US-4,958,539	09-25-1990	STASZ ET AL.	
	DN	US-4,940,468	07-10-1990	PETILLO	
	DO	US-4,887,612	12-19-1989	ESSER ET AL.	
	DP	US-4,850,353	07-25-1989	STASZ ET AL.	
	DQ	US-4,848,337	07-18-1989	SHAW ET AL.	
	DR	US-4,785,807	11-22-1988	BLANCH	
	DS	US-4,763,669	08-16-1988	JAEGER	
	DT	US-4,691,703	09-08-1987	AUTH ET AL.	
	DU	US-4,671,274	06-09-1987	SOROCHENKO	
	DV	US-4,655,216	04-07-1987	TISCHER	
	DW	US-4,633,874	01-06-1987	CHOW ET AL.	
	DX	US-4,608,981	09-02-1986	ROTHFUSS ET AL.	
	DY	US-4,590,934	05-27-1986	MALIS ET AL.	
	DZ	US-4,492,231	01-08-1985	AUTH	
	EA	US-4,375,218	03-01-1983	DIGERONIMO	
	EB	US-4,370,980	02-01-1983	LOTTICK	
	EC	US-4,353,371	10-12-1982	COSMAN	
	ED	US-4,271,838	06-09-1981	LASNER ET AL.	
	EE	US-4,232,676	11-11-1980	HERCZOG	
	EF	US-4,231,371	11-04-1980	LIPP	
	EG	US-4,219,025	08-26-1980	JOHNSON	
	EH	US-4,198,957	04-22-1980	CAGE ET AL.	
	EI	US-4,092,986	06-06-1978	SCHNEIDERMAN	
	EJ	US-3,826,263	07-30-1974	CAGE ET AL.	
	EK	US-3,768,482	10-30-1973	SHAW	
	EL	US-3,730,188	05-01-1973	ELLMAN	
	EM	US-3,685,518	08-22-1972	BEUERLE ET AL.	
	EN	US-3,651,811	03-28-1972	HILDEBRANDT ET AL.	
	EO	US-2,031,682	02-25-1936	WAPPLER ET AL.	
	EP	US-1,881,250	10-04-1932	TOMLINSON	
	EQ	US-1,798,902	03-31-1931	RANEY	
	ER	US-1,586,645	06-01-1926	BIERMAN	
	ES	US-659,409	10-09-1900	MOSHER	

Examiner Signature	Date Considered
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